

Miami Dade County

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LEGISLATIVE ANALYSIS

Tuesday, June 15, 2004
2:00 PM
Commission Chambers

Board of County Commissioners

Public Safety Committee



LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ITEM 3(A) RESOLUTION AMENDING ADMINISTRATIVE ORDER 7-15, RELATING TO RATES FOR SPECIAL OFF-DUTY LAW ENFORCEMENT AND CORRECTIONAL OFFICER SERVICES

ITEM 3(B) RESOLUTION AMENDING ADMINISTRATIVE ORDER 7-33, RELATING TO RATES FOR SPECIAL OFF-DUTY FIRE RESCUE SERVICES

Commissioner Joe A. Martinez

I. SUMMARY

These proposed resolutions would amend Administrative Orders to increase off-duty pay rates for:

- Item 3(A) County police, corrections, court services personnel; and
- Item 3(B) County fire rescue personnel.

II. PRESENT SITUATION

A telephone survey of major police and fire agencies in Miami-Dade and Broward Counties, May 24-27, 2004, found that Miami-Dade County's present off-duty pay rates for police officers and firefighters of all ranks were the lowest of all surveyed communities. The survey included the Florida Highway Patrol Troop E (Miami) and the police and fire departments of: Miami-Dade County, City of Miami Beach, City of Miami, City of Coral Gables, City of Hialeah, Broward County, and City of Fort Lauderdale. A spreadsheet is appended as Attachment #1 detailing the data. Several key statistics from the survey are tabulated below.

Off-Duty Pay to Police Officers & Fire Rescue Personnel

Classification	Range of off-duty pay*	Average off-duty pay*	Proposed**
Police officer	\$18 - \$30	\$24.07	\$30
Police sergeant	\$20 - \$34.75	\$27.25	\$32
Police lieutenant	\$22 - \$40.25	\$30.04	\$34
Firefighter	\$16 - \$45	\$26.50	\$28
Fire lieutenant	\$18 - \$45	\$28.20	\$30
Fire captain	\$21 - \$45	\$29.40	\$33

* Does not include departments where officers/firefighters negotiate own off-duty reimbursement or where officers/firefighters receive overtime pay for off-duty assignments.

** Plus employing firm/organization will pay FICA, MICA, special risk retirement cost and 5% administrative surcharge

PSC ITEMS 3(A) & 3(B)
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Differences exist in several aspects of the surveyed agencies' present rate structures.

- Miami-Dade County Police Department's administrative fee (35%) and Miami-Dade County Fire Department's administrative fee (32% fringe + 5%) were the highest of all departments surveyed with the possible exception of the City of Fort Lauderdale Fire Department that has a \$50 flat rate administrative fee.
- A majority of police departments (5 of 7) and of fire-rescue departments (4 of 7) have separate (higher) "holiday rates," but Miami-Dade County does not.
- Some departments configure off-duty employment so that it does not count toward retirement, but Miami-Dade County does credit it to retirement.

III. POLICY CHANGE AND IMPLICATION

The proposed changes will make Miami-Dade County's off-duty pay rates some of the highest in the local area.

IV. ECONOMIC IMPACT

Except when fee waivers have been authorized, there will be no impact on the County budget because off-duty pay is reimbursed by the employing firm/organization.

County funding for fee waivers may not go as far because services will cost more than in previous years.

V. COMMENTS AND QUESTIONS

The increase may result in some reduction of off-duty employment opportunities for County personnel if appropriate, certified personnel are available from FHP, the local municipality or a private agency.

In effect, some communities subsidize police and fire rescue off-duty employment by keeping administrative fees artificially low. Additionally, some communities do not credit off-duty employment for retirement.

Attachment: #1 Off-Duty Police and Fire Rescue Rate Survey May 24-27, 2004

Off Duty Police and Fire-Rescue Rate Survey May 24-27, 2004
(Per hour unless otherwise indicated)

Classification	Miami-Dade County				FHP	City of Coral Gables			
	Paid to Employee	Additions	Charged to User	Holidays	Charged to User	Paid to Employee	Additions	Charged to User	Holidays
Court Services Officer 1	\$14.00	35% (\$4.90)	\$18.90	No change					
Correctional Officer 1	\$14.00	35% (\$4.90)	\$18.90	No change					
Court Services Officer 2	\$16.00	35% (\$5.60)	\$21.60	No change					
Correctional Corporal	\$16.00	35% (\$5.60)	\$21.60	No change					
Police Officer/Trooper/Deputy Sheriff	\$18.00	35% (\$6.30)	\$24.30	No change	Negotiate own rates as individual contractors	\$28.50	Notes 1 & 2	Employee pay + admin fee	
Reserve Officer	\$18.00	35% (\$6.30)	\$24.30	No change		Do not have			
Correctional Sergeant	\$18.00	35% (\$6.30)	\$24.30	No change					
Police Sergeant	\$20.00	35% (\$7.00)	\$27.00	No change	Negotiate own rates as individual contractors	\$34.75	Notes 1 & 2	Employee pay + admin fee	
Police Lieutenant	\$22.00	35% (\$7.70)	\$29.70	No change	Negotiate own rates as individual contractors	\$40.25	Notes 1 & 2	Employee pay + admin fee	
Police Captain	\$24.00	35% (\$8.40)	\$32.40	No change	Negotiate own rates as individual contractors	Do not have			
Police Major						\$51.25	Notes 1 & 2	Employee pay + admin fee	
Fire Fighter	\$16.00	Note 1	Note 2	No change		\$45.00		\$45.00	No change
Fire Lieutenant	\$18.00	Note 1	Note 2	No change		\$45.00		\$45.00	No change
Fire Captain	\$21.00	Note 1	Note 2	No change		\$45.00		\$45.00	No change
Chief Fire Officer	\$24.00	Note 1	Note 2	No change		\$45.00		\$45.00	No change
Rescue Unit w/Crew(3)									
Firefighting Unit w/Crew(4)									
Rescue Foot Patrol (ALS) w/crew(2)									
Fire Watch						\$30.00		\$30.00	No change
Supervisor									
Inspector/Paramedic									
Lead Fire Inspector									
Fire Inspector									
Supervisor									
Rescue Unit Supervisor									
Rescue Lieutenant									
Fire Fighter Driver									
Command/Event Coordinator									
Notes: # 1 32% fringe + 5% surcharge					Notes: # 1 Flat rate \$5 per job per ofc; max \$10 per job # 2 If 4 ofc requested, 1 must be sergeant; no additional admin fee				

Off Duty Police and Fire-Rescue Rate Survey May 24-27, 2004
(Per hour unless otherwise indicated)

Classification	City of Hialeah				City of Miami				City of Miami Beach			
	Paid to Employee	Additions	Charged to User	Holidays	Paid to Employee	Admin / Additions	Charged to User	Holidays	Paid to Employee	Additions	Charged to User	Holidays
Court Services Officer 1												
Correctional Officer 1												
Court Services Officer 2												
Correctional Corporal												
Police Officer/Trooper/Deputy Sheriff	\$20.00	\$1.00	\$21.00	1.5 x Off-Duty Rate	\$25.00 Notes 1 & 2	\$3.00 Note 3		1.5 x Off-Duty Rate	\$25.00	\$4.00	\$29.00	Double
Reserve Officer	Not allowed except with Chief's permission				Not allowed				Not allowed			
Correctional Sergeant												
Police Sergeant	\$22.00	\$1.00	\$23.00	1.5 x Off-Duty Rate	\$29.00 Notes 1 & 2	\$3.00 Note 3	\$32.00 Note 1	1.5 x Off-Duty Rate	\$30.00	\$4.00	\$34.00	Double
Police Lieutenant	\$24.00	\$1.00	\$25.00	1.5 x Off-Duty Rate	\$33.00 Notes 1 & 2	\$3.00 Note 3	\$36.00 Note 1	1.5 x Off-Duty Rate	\$33.00	\$4.00	\$37.00	Double
Police Captain	Not allowed				\$37.00 Notes 1 & 2	\$3.00 Note 3	\$40.00 Note 1	1.5 x Off-Duty Rate	\$36.00	\$4.00	\$40.00	Double
Police Major	Not allowed											
Fire Fighter	\$20.00	\$1.00	\$21.00	No change	1.5 x Time; Notes 4 & 5	\$12.00 per person per job	\$45.00/hr plus admin fee	2.2 x Time; Note 4				
Fire Lieutenant	\$20.00	\$1.00	\$21.00	No change	1.5 x Time; Notes 4 & 5	\$12.00 per person per job	\$45.00/hr plus admin fee	2.2 x Time; Note 4	\$33.00	\$4.00	\$37.00	Double
Fire Captain	\$20.00	\$1.00	\$21.00	No change	1.5 x Time; Notes 4 & 5	\$12.00 per person per job	\$55.00/hr plus admin fee	2.2 x Time; Notes 4 & 5	\$36.00	\$4.00	\$40.00	Double
Chief Fire Officer	\$20.00	\$1.00	\$21.00	No change	1.5 x Time; Notes 4 & 5	\$12.00 per person per job	\$55.00/hr plus admin fee	2.2 x Time; Notes 4 & 5				
Rescue Unit w/Crew(3)					1.5 x Time; Notes 4 & 5	\$12.00 per person per job	\$100.00/hr plus admin fee	2.2 x Time; Notes 4 & 5				
Firefighting Unit w/Crew(4)					1.5 x Time; Notes 4 & 5	\$12.00 per person per job	\$170.00/hr plus admin fee	2.2 x Time; Notes 4 & 5				
Rescue Foot Patrol (ALS) w/crew(2)					1.5 x Time; Notes 4 & 5	\$12.00 per person per job	\$70.00/hr plus admin fee	2.2 x Time; Notes 4 & 5				
Fire Watch	\$20.00	\$1.00	\$21.00	No change								
Supervisor	\$24.00	\$1.00	\$25.00	No change								
Inspector/Paramedic									\$25.00	\$4.00	\$29.00	Double
Lead Fire Inspector									\$27.00	\$4.00	\$31.00	Double
Fire Inspector												
Supervisor									\$30.00	\$4.00	\$34.00	Double
Rescue Unit Supervisor									\$30.00	\$4.00	\$34.00	Double
Rescue Lieutenant									\$33.00	\$4.00	\$37.00	Double
Fire Fighter Driver									\$27.00	\$4.00	\$31.00	Double
Command/Event Coordinator									\$36.00	\$4.00	\$40.00	Double
Notes: #1 +\$1.00 shift differential midnight to 0700 #2 If 4 or more ofc requested, one must be a police supervisor #3 Min \$9.00 per ofc per day except flat rate \$10.00 per ofc per day for residential neighborhood #4 Off-duty pay not creditable for retirement #5 Capt/Chief assigned if 3 or more units												

Off Duty Police and Fire-Rescue Rate Survey May 24-27, 2004
(Per hour unless otherwise indicated)

	Broward County (BSO)				City of Ft. Lauderdale			
Classification	Paid to Employee	Additions	Charged to User	Holidays	Paid to Employee	Additions	Charged to User	Holidays
Court Services Officer 1								
Correctional Officer 1								
Court Services Officer 2								
Correctional Corporal								
Police Officer/Trooper/Deputy Sheriff	\$22.00	\$3.00	\$25.00	\$35.00	\$30.00; Note 1	none	\$30.00; Note 1	Note 1
Reserve Officer								
Correctional Sergeant								
Police Sergeant	\$25.00; Note 1	\$3.00	\$28.00	\$38.00	\$30.00; Note 1	none	\$30.00; Note 1	Note 1
Police Lieutenant	\$28.00; Note 1	\$3.00	\$31.00	\$41.00	\$30.00; Note 1	none	\$30.00; Note 1	Note 1
Police Captain					\$30.00; Note 1	none	\$30.00; Note 1	Note 1
Police Major					\$30.00; Note 1	none	\$30.00; Note 1	Note 1
Fire Fighter	Normal overtime rates; Note 2			Normal overtime rates; Note 2	\$25.00; Note 2	\$50 flatrate admin fee	\$25 per hr plus \$50 flatrate admin fee	\$35 per hr plus admin fee
Fire Lieutenant	Normal overtime rates; Note 2			Normal overtime rates; Note 2	\$25.00; Note 2	\$50 flatrate admin fee	\$25 per hr plus \$50 flatrate admin fee	\$35 per hr plus admin fee
Fire Captain	Normal overtime rates; Note 2			Normal overtime rates; Note 2	\$25.00; Note 2	\$50 flatrate admin fee	\$25 per hr plus \$50 flatrate admin fee	\$35 per hr plus admin fee
Chief Fire Officer	Normal overtime rates; Note 2			Normal overtime rates; Note 2	\$25.00; Note 2	\$50 flatrate admin fee	\$25 per hr plus \$50 flatrate admin fee	\$35 per hr plus admin fee
Rescue Unit w/Crew(3)								
Firefighting Unit w/Crew(4)								
Rescue Foot Patrol (ALS) w/crew(2)								
Fire Watch Supervisor								
Inspector/Paramedic								
Lead Fire Inspector								
Fire Inspector Supervisor								
Rescue Unit Supervisor								
Rescue Lieutenant								
Fire Fighter Driver								
Command/Event Coordinator								
Notes: # 1 Sergeant required if 5 or more ofc requested & lieutenant required if 3 or more sergeants working event # 2 Do not presently have a Fire-Rescue special detail rate but am negotiating it in ongoing labor agreement negotiations					Notes: # 1 For large off-duty events when there are not enough ofc volunteering or major holidays, ofc negotiate own rate # 2 Paid normal overtime rates if is a City sponsored event, such as the Air-Sea Show			

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ITEM 3(C) RESOLUTION DIRECTING COUNTY MANAGER TO SEEK RECLASSIFICATION OF THOSE PERSONS EMPLOYED BY THE MIAMI-DADE POLICE DEPARTMENT AND ENROLLED IN ACADEMY CLASSES FOR THE MIAMI-DADE POLICE DEPARTMENT BETWEEN OCTOBER 1, 1978 AND JULY 1, 1984 AS SPECIAL RISK FOR THE PURPOSES OF THE FLORIDA RETIREMENT SYSTEM, AND AUTHORIZING THE EXPENDITURE OF UP TO \$100,000 FOR SUCH PURPOSE

Commissioner Natacha Seijas

ITEM 3(C) Alt. RESOLUTION URGING THE FLORIDA LEGISLATURE TO AMEND FLA. STAT. CH. 121, PERTAINING TO THE FLORIDA RETIREMENT SYSTEM, TO PROVIDE SPECIAL RISK RETIREMENT CREDIT FOR PERSONS ATTENDING POLICE OFFICER OR CORRECTIONAL OFFICER ACADEMY CLASSES BETWEEN OCTOBER 1, 1978 AND JULY 1, 1984, AND AUTHORIZING THE EXPENDITURE OF UP TO \$1,000,000 TO PURCHASE RETIREMENT CREDIT ON BEHALF OF ANY SUCH OFFICERS EMPLOYED BY THE COUNTY

Commissioner Sally A. Heyman and Commissioner Dorrin D. Rolle

I. SUMMARY

Item 3(C) is a resolution proposing that the County Manager seek to correct the Florida Retirement System (FRS) classification of Miami-Dade Police Department personnel in the police academy during the specified period (10/1/78-7/1/84) and authorizing up to \$100,000 for the additional retirement contributions for Miami-Dade County police personnel. During the period 10/1/78-6/30/84, police personnel in the police academy received special risk retirement credit only if they were already certified. This item came before the Public Safety Committee meeting on 5/18/04 but was deferred following discussions about: 1) other personnel, such as corrections officers, who might be in the same situation and 2) a County Manager's report on the subject that indicated that costs might be as high as \$940,000 if corrections officers were included.

Item 3(C) Alt. This is an alternate resolution that: 1) covers both police and corrections, 2) urges the Florida Legislature to correct the situation subject to a person's employer making the necessary contributions to the Florida Retirement System, and 3) authorizes up to \$1 million for the additional retirement contributions for Miami-Dade County police and corrections personnel.

II. PRESENT SITUATION

Commencing July 1, 1984, Florida Statutes were changed to provide special risk retirement credit for police and corrections personnel who are required to be certified. The provision was not retroactive.

III. POLICY CHANGE AND IMPLICATION

Affected police and corrections officers are negatively impacted by not receiving FRS special risk retirement credit while in the academy and are/will be paid differently than their peers who went through the academy either before or after them.

IV. ECONOMIC IMPACT

- Fiscal impact remained under evaluation but, in Item 8(B) on the May 18, 2004 Public Safety Committee agenda, the County Manager had estimated the cost to be \$940,000 to include all law enforcement and corrections personnel who remain in County employment and attended the academy during the time period covered by these proposed resolutions.

V. COMMENTS AND QUESTIONS

- Costs would be significantly lower if the County could convince the State to waive interest payments in the interest of fairness to the many police and corrections officers, statewide who will be compensated differently in retirement because of the gap in statutory authority for special risk retirement credits.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION URGING THE STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES TO REQUIRE MOTORIZED SCOOTERS TO BE TITLED AND REGISTERED AND THEIR OPERATORS TO POSSESS A VALID DRIVER'S LICENSE AS MANDATED BY FLORIDA STATUTES

Commissioner Dorrin D. Rolle

I. SUMMARY

This is a proposal to urge the Florida Department of Highway Safety and Motor Vehicles to improve safety of motorized scooters by requiring the motorized scooters to be titled and registered and requiring their operators to have a valid driver's license.

II. PRESENT SITUATION

Florida Statutes are unclear on the status of motorized scooters. Motorized scooters are defined by Chapter 316, F.S. as "*any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.*" Motorized scooters are specifically exempted from the definition of "*motor vehicle*" under Chapter 316, F.S. but are not specifically mentioned (neither included nor excluded) under Chapters 320 and 322, F.S.

III. POLICY CHANGE AND IMPLICATION

- For 2002, the U.S. Consumer Product Safety Commission's National Electronic Injury Surveillance System (NEISS) indicates an estimated 5,860 hospital emergency room visits occurred nationwide as a result of injuries from motorized scooter operations.
 - This is a 22% increase over the 4805 motorized scooter-related emergency room visits that the NEISS estimates to have occurred in 2001.
 - 1,853 of the motorized scooter-related emergency room visits in 2002 were reported to the NEISS as having occurred on streets or highways. (Note: It is probable that many additional injuries occurred on streets or highways without that information being reported to the NEISS because the injuries were not treated in an emergency room or because the data was not recorded.)

IV. ECONOMIC IMPACT

There is no direct impact to the County budget by this resolution, but adoption of the proposal by the State of Florida could result in lowering of health care costs for persons with and without health insurance.

V. COMMENTS AND QUESTIONS

An August 22, 2001 Consumer Product Safety Commission "*Consumer Alert*" on motorized scooter injuries and safety is appended as Attachment #1.

Attachment #1

Consumer Alert from CPSC

Consumer Alert: Motorized Scooter Use Increases and Injuries Climb**CPSC recommends that riders wear proper safety gear**

August 21, WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission (CPSC) today reported 2,250 emergency room-treated injuries associated with motorized scooters in the first 7 months of this year. If injuries continue at this rate, the total estimate for 2001 is expected to show a marked increase over 2000. The first full year in which CPSC collected data on these injuries was 1999. In 2000, there were an estimated 4,390 hospital emergency room treated injuries associated with motorized scooters. This represents more than a 200-percent increase over the 1999 estimate of 1,330 injuries.

CPSC is aware of at least three deaths associated with motorized scooters. Two of the deaths involved children, including a 6-year-old boy in California died after falling off a motorized scooter and an 11-year-old boy in Pennsylvania died when the motorized scooter he was riding crashed into a truck. Also, a 46-year-old man died in California after being struck by an automobile. All of the victims suffered head injuries; none was wearing a helmet.

CPSC recommends that riders wear the same safety gear as we recommend for non-powered scooters - a helmet, and knee and elbow pads. Sturdy shoes also are important. CPSC Chairman Ann Brown said, "Common sense requires that riders of all ages understand the importance of protective gear and observing local safety rules. Have fun outside but don't end up in the emergency room."

In 2000, an estimated 39 percent of the injuries occurred to children under 15 years of age. Most injuries occurred to the arms, legs, faces, and heads. The most common injuries were fractures.

Motorized scooters are increasing in popularity. They are two-wheel scooters, similar to the unpowered scooters, but equipped with either a small 2-cycle gasoline engine or an electric motor and a battery. Some manufacturers are retrofitting stocks of non-powered scooters with electric motors. In addition, kits are available to retrofit non-powered scooters. The gasoline-powered scooters usually cost between \$400 and \$1,300. The electric scooters range from under \$200 to about \$1,000.

Protective gear, including helmet and knee and elbow pads, is available for less than \$35.

CPSC recommends the following safety guidelines:

- Wear a helmet that meets CPSC's standard, along with knee and elbow pads.
- Wear sturdy shoes.
- Owners of motorized scooters should check with local authorities for riding guidelines and restrictions.
- Do not ride at night.

- Children under 12 should not ride motorized scooters.

To link from your web site to this press release on CPSC's web site, go to: <http://www.cpsc.gov/cpscpub/prerel/prhtml01/01222.html>. The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at <http://www.cpsc.gov/talk.html>. For information on CPSC's fax-on-demand service, call the above numbers or visit the web site at <http://cpsc.gov/about/who.html>. To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov>.

News from CPSC
U.S. Consumer Product Safety Commission
Office of Information and Public Affairs
Washington, D.C. 20207

For Immediate Release
August 22, 2001
Release # 01-222
Contact: Mark Ross (301) 504-0580 Ext. 1188

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE A CONTRACT WITH THE WACKENHUT CORPORATION WITH A TOTAL COMPENSATION CEILING NOT TO EXCEED \$89.5 MILLION FOR PROVISION OF SECURITY SERVICES FOR MIAMI-DADE TRANSIT AFTER REVIEW BY THE COUNTY ATTORNEY'S OFFICE; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN

Miami-Dade Transit Agency

I. SUMMARY

This item seeks authorization for execution of a contract (TR04-SOS) with Wackenhut Corp. for Security Services at Miami-Dade Transit (MDT) facilities.

The Contract would be for five (5) years.

II. PRESENT SITUATION

Wackenhut is the current provider of Security Services for MDT. The current five (5) year contract was approved by the Board of County Commissioners (BCC) on October 19, 1999 and is set to expire in November 2004.

The current contract was a no bid contract that was awarded for substantially the same reasons as before you today. **(Only Wackenhut qualifies under the bid requirements)**. That item was vetoed by the Mayor for the lack of a competitive process. The Mayor stated in his veto, that even if the company was the best and only firm, we should let the process work its way out so that the public perception would not be that we were awarding a \$40 million dollar contract without a bid.

The BCC over rode the Mayor at its meeting in November 1999 and the contract was awarded.

On February 3, 2004, the Board approved a \$14.8 million dollar amendment to the original contract increasing the contract ceiling to approximately \$57.8 million **(This represented an increase of approximately 40% to the original contract)**. MDT contended that the increase was caused by additional security needs associated with enhancements to the PTP, including 24 hour Metrorail Service, as well as a result of 9/11.

Through recent amendments to the PTP, Board has reduced some of the anticipated enhancements, including 24 hour Metrorail and the amount of buses projected to be in place.

Should the current contract have been reevaluated at that time in terms of the need to build the extra money into the next contract?

PSC ITEM 4(D)

June 15, 2004

Staff reports that only Wackenhut can satisfy the requirements for providing large scale armed private security. This was verified through surveys and questioners by staff. Staff also stated that new security requirements make this even more important. **It should be noted that many of the larger Transit agencies utilize Police officers which could reduce the amount of armed security guards required.** In fact the original "Transit not Tolls plan envisioned a larger police role which would have increased police on the transit system and reduced the need for such a large private security contract. That plan however was based on a full penny and not the half that was approved by voters.

It should also be noted that during this contract there have been violent incidents against the security guards themselves, in one case a guard had his gun stolen and was shot.

III. POLICY CHANGE AND IMPLICATION

This would keep with the Boards previous policy in overriding the Mayor's veto and awarding the contract to the only viable bidder (Wackenhut).

Continued waiver of competitive bidding procedures and requirements reduces the likelihood of other competitors becoming locally established in the future.

IV. ECONOMIC IMPACT

The requested contract ceiling for this contract is \$89,500,000 (or \$17.9 million per year).

MDT operating funds as well as PTP funds are slated to be used for this contract.

Comparison to other large County contracts:

Dade Aviation Consultants (DAC) – Approximately \$16 million per year.

Master Project Manager for PTP – Up to \$84 million over 7 years (or \$12 million per year.)

** This RFP has been advertised, but has not yet been awarded.*

V. COMMENTS AND QUESTIONS

The increase in total possible compensation for this contract, from the current contract ceiling of \$57.8 million to the requested contract ceiling of \$89.5 million, represents an increase of \$28.1 million (or over 50%) from the current contract.

****** Because the maintenance of effort for General Fund Support for MDT was established with the current contract in mind, would it be reasonable to assume that the total increased amount of \$28.1 million for the new contract would most likely have to be covered from the .5% Transportation Surtax?**

In the future this contract will require more money as new service is added. This will not occur during the life of the 5 year contract as no service enhancements of that magnitude will be completed by then.

PSC ITEM 4(D)
June 15, 2004

Is the Mayor's original theme of his veto valid?

Would public perception be better if we went through the motions and made Wackenhut bid for the contract, or is it more efficient and practical to award the contract through negotiations with the Manager with the only firm we believe qualifies?